



Entered on Docket
September 23, 2011

A handwritten signature in dark ink, appearing to read "Linda B. Riegle".

Hon. Linda B. Riegle
United States Bankruptcy Judge

LEWIS AND ROCA LLP

Robert M. Charles, Jr. (NV 6593)
John Hinderaker (AZ 018024)
Marvin Ruth (NV 10979)
3993 Howard Hughes Parkway, Ste. 600
Las Vegas, Nevada 89169-5996
Telephone (702) 949-8320
Facsimile (702) 949-8321
Email: rcharles@lrlaw.com
jhinderaker@lrlaw.com
mruth@lrlaw.com

Attorneys for USACM Liquidating Trust

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEVADA**

In re:

USA COMMERCIAL MORTGAGE
COMPANY,

Debtor.

Case No. BK-S-06-10725-LBR

CHAPTER 11

**Order Sustaining Twelfth Omnibus
Objection Of USACM Trust To
Unallocated Amounts of Proofs Of Claim**

Hearing Date: August 30, 2011

Hearing Time: 10:30 a.m.

The Court having considered the "Twelfth Omnibus Objection Of USACM Trust To Unallocated Amounts of Proofs Of Claim ("Unallocated Amount") [DE 8708] (the "Objection"); the Court having heard the Objection on August 30, 2011; appropriate notice of the Objection having been given; no response to the Objection having been filed; and good cause appearing:

1 **IT IS ORDERED** that:

2 1. The Objection [DE 8708] is sustained;

3 2. The Proofs of Claim listed on **Exhibit A** attached are disallowed to the
4 extent the amount of the claim as stated on the face of proof of claim exceeds the amount
5 of the claim supported by the documentation provided with the proof of claim, ie, the
6 Unallocated Amount as shown on **Exhibit A** attached; and

7 3. This order concerns only the Unallocated Amount of the claim and not any
8 other claim of the claimants.

9
10 **PREPARED AND RESPECTFULLY SUBMITTED BY:**

11 **LEWIS AND ROCA LLP**

12
13 By /s/ John Hinderaker (AZ #018024)

14 Robert M. Charles, Jr.

15 John Hinderaker (*pro hac vice*)

16 3993 Howard Hughes Parkway, Ste. 600

17 Las Vegas, Nevada 89169-5996

18 Telephone: (702) 949-8320

19 Facsimile: (702) 949-8321

20 *Attorneys for USACM Liquidating Trust*

21
22
23
24
25
26

LOCAL RULE 9021 CERTIFICATION

In accordance with LR 9021, counsel submitting this document certifies that the order accurately reflects the court's ruling and that (check one):

_____ This Court has waived the requirement set forth in LR 9021(b)(1).

XXX No party appeared at the hearing or filed an objection to the motion.

_____ I have delivered a copy of this proposed order to all counsel who appeared at the hearing, and any unrepresented parties who appeared at the hearing, and each has approved or disapproved the order, or failed to respond, as indicated below [list each party and whether the party has approved, disapproved, or failed to respond to the document]:

Counsel appearing: _____

_____ I certify that this is a case under Chapter 7 or 13, that I have served a copy of this order with the motion pursuant to LR 9014(g), and that no party has objected to the form or content of the order

U.S. Trustee: <u>Augie Landis</u>	
<input type="checkbox"/> approved the form of this order	<input type="checkbox"/> disapprove d the form of this order
<input checked="" type="checkbox"/> waived the right to review the order and/or	<input type="checkbox"/> failed to respond to the document
Other Party: _____	
<input type="checkbox"/> approved the form of this order	<input type="checkbox"/> disapprove d the form of this order
<input type="checkbox"/> waived the right to review the order and/or	<input type="checkbox"/> failed to respond to the document

Submitted by:
LEWIS AND ROCA LLP

By: /s/ John Hinderaker. (AZ #018024)
Attorneys for USACM Liquidating Trust

#

USACM Trust
Unallocated Amounts Of Proofs Of Claim
Multiple Loan Claims

Claim	Date Claim was Filed	Name	Address	Total Claim Amount	Approximate Amount Subject to Objection Because The Trust Could Not Allocate Amount to a Specific Direct Lender Loan
10725-01959	1/10/2007	Osherow Trust Dtd 9/11/89	Aaron Osherow Trustee 8025 Maryland Avenue Apt 10-C Clayton, MO 63105	1,088,466.02	6,500.65
10725-02254	1/12/2007	Peele Spousal Trust Dtd 2/10/87	Jennefer C Peele Ttee 2581 Rampart Ter Reno, NV 89519	507,424.02	3,712.01
10725-02226	1/12/2007	Raggi, Dennis	Po Box 10475 Zephyr Cove, NV 89448	4,884,068.70	5,425.54
10725-01879	1/8/2007	Raggi, Dennis	Po Box 10475 Zephyr Cove, NV 89448-2475	27,304.00	269.94
10725-01910	1/10/2007	Rebecca A Rogers Trust Dtd 9/18/96	Rebecca A Rogers Trustee 2309 Sierra Heights Dr Las Vegas, NV 89134	548,885.18	2,200.78
10725-02097	1/11/2007	Rgf Revocable Trust	Robert G Fuller Ttee 5172 English Daisy Way Las Vegas, NV 89142	487,047.24	3,523.62
10725-02188	1/12/2007	Richard M Raker Living Trust Dtd 3/18/98	Richard M Raker Ttee Pmb 274 969 Edgewater Blvd Foster City, CA 94405	524,840.30	1,473.15
10725-01864	1/10/2007	Richard W Gilmour Ira	C/O First Savings Bank Custodian PO Box 1241 Camano Island, WA 98292-1241	321,394.52	697.26
10725-02000	1/10/2007	Robert L Ogren Trust Dtd 6/30/92	Robert L Ogren Ttee 3768 Rick Stratton Dr Las Vegas, NV 89120	1,827,483.14	11,002.43
10725-02001	1/10/2007	Robert L Ogren Trust Dtd 6/30/92	Robert L Ogren Ttee 3768 Rick Stratton Dr Las Vegas, NV 89120	324,491.12	2,245.56
10725-02070	1/11/2007	Robert R Rodriguez Revocable Trust Dtd 1/31/06	C/O Robert R Rodriguez Trustee 5748 Newberry Point Dr. Flowery Branch, GA 30542	152,297.26	2,297.26

EXHIBIT A

2424558.1